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United Nations

Report of the Committee against Torture

Fifty-eighth session
(25 July-12 August 2016)

Fifty-ninth session
(7 November-7 December 2016)

Sixtieth session
(18-April-12 May 2017)

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Note

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Summary

The present annual report covers the period from 14 May 2016 to 12 May 2017, during which the Committee against Torture held its fifty-eighth, fifty-ninth and sixtieth sessions. As at 12 May 2017, there were 161 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

During the period under review, the Committee considered, and adopted concluding observations on, 17 reports submitted under article 19 of the Convention (see chap. III). At its fifty-eighth session, it considered the reports of Burundi, Honduras, Kuwait and Mongolia. At its fifty-ninth session, it considered the reports of Armenia, Ecuador, Finland, Monaco, Namibia, Sri Lanka and Turkmenistan, as well as the situation in Cabo Verde, in the absence of a report. At its sixtieth session, it considered the reports of Afghanistan, Argentina, Bahrain, Lebanon, Pakistan and the Republic of Korea.

The Committee deplores the fact that some States parties do not comply with their reporting obligations under article 19 of the Convention. At the time of reporting, there were 27 States parties with overdue initial reports and 38 States parties with overdue periodic reports (see chap. II).

The Committee's procedure for following up on concluding observations continued to develop during the reporting period (see chap. IV). The Committee expresses its appreciation to those States parties that have provided timely and thorough information to the Rapporteur for follow-up under article 19.

The Committee's procedure under article 20 continued during the reporting period with an inquiry on Egypt (see chap. V).

Under article 22 of the Convention, the Committee adopted 35 decisions on the merits and declared 3 communications admissible and 6 communications inadmissible. Consideration of complaints was discontinued in 18 cases (see chap. VI). A total of 825 complaints have been registered since the entry into force of the Convention, including 75 since the writing of the previous report.

The Committee's workload under article 22 continues to grow, as demonstrated by the large number of complaints registered during the reporting period. At the end of the sixtieth session, 175 complaints were pending consideration (see chap. VI).

The Committee again notes that some States have failed to implement the decisions adopted on complaints. The Committee has continued to seek to ensure implementation of its decisions through its Rapporteurs for follow-up to article 22 (see chap. VI).

The Committee held a public consultation on a draft revised general comment on article 3 of the Convention (see chap. I). It also paid particular attention to reprisals and requested a special report from Burundi (see chaps. I and II).

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I. Organizational and other matters

A. States parties to the Convention

1. As at 12 May 2017, the closing date of the sixtieth session of the Committee against Torture, there were 161 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention was adopted by the General Assembly in its resolution 39/46 and entered into force on 26 June 1987.

2. Since the previous report, the Central African Republic and Sao Tome and Principe ratified the Convention on 11 October 2016 and 10 January 2017 respectively. The Committee calls upon all States that have not ratified the Convention to do so, and calls upon those that are already a party to accept all the procedures of the Convention, in order to enable the Committee to fulfil all aspects of its mandate.

3. All information on the status of the treaty, including declarations under articles 20, 21 and 22 and reservations and objections made by States parties with respect to the Convention, can be found at http://treaties.un.org.

B. Sessions and agendas of the Committee

4. The Committee has held three sessions since the adoption of its previous annual report. The fifty-eighth session (1432nd to 1459th meetings) was held from 25 July to 12 August 2016, the fifty-ninth session (1460th to 1504th meetings) from 7 November to 7 December 2016, and the sixtieth session (1505th to 1541st meetings) from 18 April to 12 May 2017. Sessions were held at the United Nations Office at Geneva.

5. At its 1432nd meeting, held on 25 July 2016, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/58/1) as the agenda of its fifty-eighth session.

6. At its 1460th meeting, held on 7 November 2016, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/59/1) as the agenda of its fifty-ninth session.

7. At its 1505th meeting, held on 18 April 2017, the Committee adopted the items listed in the provisional agenda submitted by the Secretary-General (CAT/C/60/1) as the agenda of its sixtieth session.

8. An account of the deliberations and decisions of the Committee at those three sessions is contained in the relevant summary records (CAT/C/SR.1432-1541).

C. Membership, officers and mandates

9. The membership of the Committee remained the same during the period covered by the report. The list of members, officers and mandates is contained in the annex.

D. Oral report of the Chair to the General Assembly

10. In accordance with paragraph 35 of General Assembly resolution 68/156, on 18 October 2016 the Chair of the Committee presented an oral report to and engaged in an interactive dialogue with the Assembly at its seventy-first session (see the Committee web page, hosted on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR), www.ohchr.org).

E. Activities of the Committee in connection with the Optional Protocol to the Convention

11. As at 12 May 2017, there were 83 States parties to the Optional Protocol to the Convention (see http://treaties.un.org). As required by the Optional Protocol, on 16 November 2016, a joint meeting was held between the members of the Committee and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Committee and the Subcommittee on Prevention of Torture strengthened their cooperation through their active joint participation in a workshop on the revised United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). The event was facilitated by the Association for the Prevention of Torture and Penal Reform International. The Chair, Mr. Modvig, and Vice-Chair, Ms. Gaer, also actively participated in the event marking the tenth anniversary of the entry into force of the Optional Protocol, held on 17 November 2016 in Geneva.

12. An additional meeting was held on 5 May 2017 between the Committee and the Chair of the Subcommittee on Prevention of Torture, at which the latter presented to the Committee the tenth public annual report of the Subcommittee (CAT/C/60/3).

F. Joint statement on the occasion of the United Nations International Day in Support of Victims of Torture and cooperation with the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture

13. The Committee adopted a joint statement with the Subcommittee on Prevention of Torture, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture for issuance on 26 June 2016, the United Nations International Day in Support of Victims of Torture (see the web page of the Voluntary Fund at www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/IntlDay.aspx). On 6 October 2016, the Chair of the Committee participated in the forty-fourth session of the Board of Trustees of the Voluntary Fund together with the Chair of the Subcommittee on Prevention of Torture in order to discuss issues of common interest and areas of cooperation. At its sixtieth session, the Committee participated in a workshop on torture victims in the context of migration organized by the Board of Trustees of the Voluntary Fund.

G. Revised general comment on article 3 of the Convention

14. At its fifty-fifth session, the Committee decided to revise general comment No. 1 (1997) on article 3. At its fifty-sixth session, it held a preliminary discussion on the main issues to be discussed in the context of the revised general comment. At its fifty-seventh and fifty-eighth sessions, it discussed a list of topics to be covered in the revised general comment. At its fifty-ninth session, it completed its first reading of the draft revised general comment (CAT/C/60/R.2, available on the Committee web page). At its sixtieth session, it held a public consultation that was preceded by a call for written input (available on the Committee web page) from all relevant stakeholders, including States, United Nations human rights mechanisms, other relevant international entities and civil society representatives. A working group composed of Mr. Bruni (rapporteur), Ms. Gaer and Mr. Hani has been entrusted with the drafting process. The Committee will undertake its second reading of the draft general comment at its sixty-first session.

H. Participation of non-governmental organizations

15. The Committee has long recognized the work of non-governmental organizations and has met with them in private on the day immediately before the consideration of each State party report submitted under article 19 of the Convention. The Committee expresses its appreciation to those organizations for their participation in the meetings and is particularly appreciative of the attendance of national non-governmental organizations,

which provide immediate and direct information, both orally and in writing. The Committee conveys special thanks to non-governmental organizations, particularly the World Organisation Against Torture for its crucial role in coordinating the input of non-governmental organizations to the work of the Committee since its fifty-second session. The Committee has benefited from thematic briefings organized by organizations, such as (a) a briefing on the role of civil society in meeting the need for effective victim and redress protection systems, held on 4 August 2016 and organized by DIGNITY – Danish Institute against Torture, and REDRESS; (b) a briefing on collecting and using data from torture victims, held on 17 November 2016 and organized by the International Rehabilitation Council for Torture Victims; and (c) a follow-up briefing on fostering connections between the International Criminal Police Organization (INTERPOL) and the Committee, held on 2 December 2016 and organized by REDRESS and Fair Trials.

I. Participation of national human rights institutions and national preventive mechanisms

16. Similarly, the Committee appreciates the work of national human rights institutions and national preventative mechanisms established by States parties as provided for under the Optional Protocol to the Convention. Since the fifty-fifth session, those institutions and mechanisms have had the possibility of meeting in private plenary with the Committee. Specifically, at the fifty-eighth session, the Committee met with the institutions of Burundi and Honduras and the mechanism of Honduras; at the fifty-ninth session, it met with the institutions of Cabo Verde, Ecuador and Sri Lanka, and the institutions and mechanisms of Armenia and Finland; and at the sixtieth session, it met with the institutions of Afghanistan, Bahrain, Pakistan and the Republic of Korea and the mechanism of Argentina. The Committee expresses its appreciation for the oral and written information it receives from them, and looks forward to continuing to benefit from the information it receives from those bodies, which has enhanced its understanding of the issues before the Committee.

J. Rapporteurs on reprisals

17. At its forty-ninth session, the Committee decided to adopt a mechanism to prevent, monitor and follow up cases of reprisal against civil society organizations, human rights defenders, victims and witnesses after their engagement with the treaty body system. It subsequently appointed a rapporteur on reprisals under article 19 and a rapporteur on reprisals under articles 20 and 22. At its fifty-fifth session, the Committee adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (CAT/C/55/2). Those guidelines include a clear recognition of the value of the Guidelines against Intimidation or Reprisals (the San José Guidelines).

18. At its fifty-seventh session, the Committee designated Mr. Bruni as the rapporteur on reprisals under articles 19, 20 and 22. Information on actions taken by rapporteurs during the reporting period is available on the Committee web page. On 26 September 2016, Mr. Bruni attended a high-level panel of the Human Rights Council entitled "Comprehensive responses to acts of intimidation and reprisal in the field of human rights: current situation, existing practices and new ideas for better implementation" organized by Ghana, Hungary and Uruguay.

K. Treaty body strengthening process

19. At its fifty-eighth session, the Committee discussed the recommendations of the Chairs of the human rights treaty bodies at their twenty-eighth meeting, held in New York from 30 May to 3 June 2016. The Committee reaffirmed its support for the treaty body strengthening outcome, while stressing again the need to allocate sufficient staff resources to the Petitions Unit in order to enable the Committee to address its backlog of individual complaints and therefore efficiently use the additional session time provided under General Assembly resolution 68/268. At that same session, the Committee held its first joint

meeting with the Committee on the Elimination of Racial Discrimination to discuss issues of common interest and areas of cooperation.

L. Implementation of retreat decisions on the working methods of the Committee

20. In follow-up to the decisions of its two-day retreat on working methods, held at its fifty-third session, the Committee undertook the following actions:

(a) Six States (Antigua and Barbuda, Cabo Verde, Côte d'Ivoire, Malawi, Seychelles and Somalia) with long overdue initial reports were offered the simplified reporting procedure (see sect. II. D);

(b) The Committee started a preliminary substantive evaluation of the simplified reporting procedure (see sect. II. B);

(c) The Committee adopted guidelines for follow-up to concluding observations (CAT/C/55/3);

(d) The Committee improved the contribution and participation of national human rights institutions, national preventive mechanisms and non-governmental organizations in its sessions (see sect. I. I), including using new communication technologies, such as Skype;

(e) The Committee established a working group on individual complaints so as to enable the Committee to apprehend fully the internal processes of the individual complaints procedure;

(f) The Committee decided to draft a revised general comment on article 3 (see sect. I. G);

(g) The Committee adopted guidelines on the receipt and handling of allegations of reprisals against individuals and organizations cooperating with the Committee under articles 13, 19, 20 and 22 of the Convention (see sect. I. J).

M. Participation of Committee members in other meetings

21. During the period under consideration, Committee members actively participated with oral and written contributions in various meetings:

(a) A meeting of the Human Rights Council Advisory Committee on regional arrangements for the promotion and protection of human rights, held on 10 August 2016, was attended by Ms. Gaer;

(b) A conference entitled "Istanbul Protocol implementation: transforming regional experiences into international norms for effective torture investigation and documentation", organized by the Government of Kyrgyzstan, the General Prosecutor's Office, the National Centre for the Prevention of Torture, the Soros Foundation-Kyrgyzstan, the Coalition of Non-governmental organizations against Torture in Kyrgyzstan and Physicians for Human Rights, held on 21-22 September 2016 in Bishkek, Kyrgyzstan, was attended by Mr. Modvig;

(c) A workshop on the inquiries procedure of the treaty body system, organized by OHCHR in collaboration with the Geneva Academy of International Humanitarian Law and Human Rights, held on 6-7 October 2016 in Geneva, was attended by Mr. Bruni and Mr. Heller;

(d) A General Assembly side event on realizing Sustainable Development Goal 16 and the role of anti-torture initiatives, organized by the Convention against Torture Initiative and the Association for the Prevention of Torture, held on 18 October 2016 in New York, was attended by Mr. Modvig;

(e) A round-table discussion on the ratification of the Convention against Torture by Suriname, organized by the Convention against Torture Initiative and OHCHR, held on 20 October 2016 in Suriname, was attended by Mr. Heller;

(f) A regional workshop entitled "Benefits of, and challenges to, ratification and implementation of the United Nations Convention against Torture in the Pacific region: sharing experiences and building capacities", organized by the Convention against Torture Initiative with the Universal Rights Group and the Association for the Prevention of Torture, held on 27-28 October 2016 in Natadola, Fiji, was attended by Mr. Hani;

(g) A workshop on general comments, organized by OHCHR in partnership with the Arab Human Rights Committee, held on 30 November 2016 in Cairo, was attended by Mr. Hani;

(h) An international colloquium on the establishment of the national preventive mechanism in Tunisia, organized by the National Authority for the Prevention of Torture in Tunisia, with the support of the United Nations Development Programme, OHCHR, the Association for the Prevention of Torture, the Council of Europe, the Geneva Centre for the Democratic Control of Armed Forces, DIGNITY and the World Organisation Against Torture, held on 19-20 December 2016 in Tunis, was attended by Mr. Hani. It was preceded by a seminar on the fight against torture in Tunisia organized by DIGNITY on 8 December 2016;

(i) A workshop on the mandate and functioning of the future national preventive mechanism of Morocco, organized by the National Human Rights Council, the Foreign and Commonwealth Office and the Association for the Prevention of Torture, held on 20-22 December 2016 in Rabat, was attended by Ms. Belmir and Mr. Hani;

(j) A Committee expert forum entitled "Protecting people on the move from torture and ill-treatment", organized by the World Organisation Against Torture, held on 9-10 February 2017 in Geneva, was attended by Mr. Bruni, Ms. Gaer, Mr. Hani and Mr. Modvig;

(k) A workshop on treaty bodies and national human rights institutions, organized by OHCHR in cooperation with the Global Alliance of National Human Rights Institutions and the Geneva Academy of International Humanitarian Law and Human Rights, held on 9-10 March 2017 in Geneva, was attended by Mr. Hani.

II. Submission of reports by States parties under article 19 of the Convention

22. During the period covered by the present report, 13 reports from States parties under article 19 of the Convention were submitted to the Secretary-General. An initial report was submitted by Timor Leste. Second periodic reports were submitted by Mauritania and Rwanda. Third periodic reports were submitted by the Republic of Moldova, Qatar and Tajikistan. A fourth periodic report was submitted by Senegal. A fifth periodic report was submitted by Cameroun. Sixth periodic reports were submitted by Chile, Czechia and the Russian Federation. A seventh periodic report was submitted by Canada. An eighth periodic report was submitted by Norway.

23. As at 12 May 2017, the Committee had received a total of 413 reports and had examined 393; there were 27 States parties with overdue initial reports and 38 States parties with overdue periodic reports (see the status of reports on the Committee web page).

A. Invitation to submit periodic reports

24. Further to its decision taken at its forty-first session,[1] the Committee continued, at its fifty-eighth, fifty-ninth and sixtieth sessions, to invite States parties, in the last paragraph of the concluding observations, to submit their next periodic reports within a four-year period from the adoption of the concluding observations, and to indicate the due date of the next report in the same paragraph.

25. In addition, further to its decision taken at its forty-seventh session,[2] the Committee continued, at its fifty-eighth, fifty-ninth and sixtieth sessions, to invite States parties to accept, within one year from the adoption of the concluding observations, to report under the optional reporting procedure, or, if a State party has already accepted to report under the procedure, to indicate that the Committee will submit to the State party, in due course, a list of issues prior to the submission of its next periodic report.

B. Simplified reporting procedure

26. The Committee welcomes the fact that a high number of States parties have accepted the simplified reporting procedure, which consists of the preparation and adoption of a list of issues to be transmitted to States parties prior to the submission of a State party's periodic report (known as the list of issues prior to reporting). The procedure is aimed at assisting States parties to fulfil their reporting obligations, as it strengthens the cooperation between the Committee and States parties.[3] While the Committee understands that, since 2007, the adoption of lists of issues prior to reporting has facilitated the States parties' reporting obligations, it nonetheless wishes to emphasize that the procedure of drafting lists of issues prior to reporting has increased its workload substantially, as their preparation requires more work than the lists of issues following the submission of a State party's report. That is particularly significant in a Committee with such a small membership.

27. At its fifty-ninth session, the Committee adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2018, under that procedure: Australia, Croatia, Montenegro, Sweden, Ukraine and the United States of America. It also adopted a list of issues prior to reporting with regard to a State party, Côte d'Ivoire, that had recently accepted the simplified reporting procedure. Those lists of issues prior to reporting were transmitted to the respective States parties.

28. At its sixtieth session, the Committee adopted lists of issues prior to reporting with regard to the States parties that had accepted the invitation to submit their next report, due in 2019, under that procedure: Colombia, Luxembourg, New Zealand, Romania and the former Yugoslav Republic of Macedonia.

29. At the retreat on its working methods, the Committee decided to offer the simplified reporting procedure to States parties with long overdue initial reports (two States per year). It also decided to establish a working group to contribute to a substantive evaluation of the simplified reporting procedure. The Committee took into account the report of the secretariat on the status of the optional reporting procedure (CAT/C/47/2) and the note by the secretariat on the simplified reporting procedure (HRI/MC/2014/4) issued following the adoption by the General Assembly of resolution 68/268. At its fifty-fifth session, the Committee held a discussion on a preliminary evaluation of the simplified reporting procedure.

30. In the Committee's view, the fact that only 4 of the 128 States parties that are at the periodic reporting stage declined to report under the simplified reporting procedure indicates the success of the procedure; 94 have expressly accepted to report under it and the

[1] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 44* (A/64/44), para. 26.

[2] Ibid., *Sixty-seventh Session, Supplement No. 44* (A/67/44), para. 33.

[3] Ibid., *Sixty-sixth Session, Supplement No. 44* (A/66/44), paras. 28-35.

remaining 30 have not yet answered or have not yet been invited to report under it. In addition, the fact that other treaty bodies have also adopted that procedure indicates its clear added value for the reporting system. It should also be noted that, on 29 January 2016, for the first time, a State with a long overdue initial report, Côte d'Ivoire, accepted the simplified reporting procedure offered by the Committee. Similarly, the simplified reporting procedure for long overdue initial reports was accepted by Malawi on 8 December 2016 and Somalia on 2 February 2017 (see sect. II. D).

31. The updated information relating to the procedure is available from a dedicated web page (www.ohchr.org/EN/HRBodies/CAT/Pages/ReportingProcedures.aspx).

C. Reminders for overdue initial and periodic reports

32. At its fifty-third session, the Committee decided to send reminders to all States parties whose initial reports were overdue and to all States parties whose periodic reports were four or more years overdue.

33. The Committee drew the attention of those States parties to the fact that delays in reporting seriously hamper the implementation of the Convention in the States parties and the ability of the Committee to carry out its function of monitoring such implementation. The Committee requested information on the progress made by those States parties in fulfilling their reporting obligations and on any obstacles that they might be facing in that respect. It also informed them that, in accordance with rule 67 of its rules of procedure, the Committee might proceed with a review of the implementation of the Convention in the State party in the absence of a report, and that such a review would be carried out on the basis of information that was available to the Committee, including sources from outside the United Nations. In its annual reports, the Committee also reminds States parties of their reporting obligations under the Convention. The Committee would like to reiterate its support to the Convention against Torture Initiative, which is actively engaged in the universal ratification of the Convention and its full implementation, including the compliance of States with their reporting obligations. The Committee attended several activities organized by the Initiative.

D. Examination of measures taken by a State party in the absence of a report

34. The Committee decided at its fifty-second session to take action with regard to States parties whose initial reports were long overdue. Noting that the initial reports of Cabo Verde and Seychelles had been overdue since 1993, the Committee decided to send a specific reminder to those States parties to submit their initial reports before the fifty-fourth session of the Committee. At the end of the fifty-third session, the Committee decided to offer those States parties the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report, of the measures taken by each of those States parties to implement the provisions of the Convention in its territory. While Seychelles indicated that a report was under preparation, Cabo Verde did not reply. At its fifty-sixth session, the Committee decided to examine the situation of Cabo Verde in the absence of a report by the end of 2016. At the same session, the Committee decided to send specific reminders to Antigua and Barbuda and Côte d'Ivoire to submit their long overdue initial reports or to accept the simplified reporting procedure. If they did not accept the simplified reporting procedure or if initial reports were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report. At its fifty-seventh session, the Committee decided to examine the situation of Cabo Verde in the absence of a report at its fifty-ninth session. On 29 January 2016, Côte d'Ivoire accepted the simplified reporting procedure and received a list of issues prior to reporting that was adopted at the fifty-ninth session. At its fifty-eighth session, in the absence of reply from Antigua and Barbuda, the Committee notified the State party that it would examine its situation in the absence of a report at its sixty-first

session. At its fifty-ninth session, the Committee examined the situation of Cabo Verde in the absence of a report. At the same session, the Committee decided to send a specific reminder to Malawi and Somalia to submit their long overdue initial reports and to offer them the simplified reporting procedure. If they did not accept the simplified reporting procedure or if reports under the traditional reporting procedure were not received pursuant to article 67 of its rules of procedure, the Committee would conduct at a future session an examination, in the absence of a report. On 8 December 2016, Malawi accepted the simplified reporting procedure and on 2 February 2017, Somalia also accepted the simplified reporting procedure.

E. Request for a special report

35. At its fifty-sixth session, in conformity with article 19 (1) of the Convention, and on the basis of information provided by the United Nations — such as the reports of the United Nations High Commissioner for Human Rights and the Special Adviser of the Secretary-General on the Prevention of Genocide to the United Nations Security Council — and civil society organizations, the Committee decided to request that Burundi submit to it a special report on the following: (a) the measures taken by the State party to investigate reliable and numerous sources of information on summary executions, including political assassinations, arbitrary arrests, ill-treatment and torture in 2015 against members of opposition political parties, journalists, human rights defenders and their families and any other persons perceived to be supportive of the opposition, including information on whether any investigations led to the prosecution of security forces members or any other officials and individuals, and their outcome; (b) the progress of any investigations into the armed attack perpetrated in August 2015 against Pierre Claver Mbonimpa and the abduction and murder in November 2015 of his son, Welly Nzitonda; (c) the measures taken by the State party to investigate reliable and numerous sources of information on torture by members of the National Intelligence Service at its compound near Bujumbura cathedral, including information on whether any investigations had led to the prosecution of National Intelligence Service members and their outcome; (d) the measures taken by the State party to investigate reliable and numerous sources of information on killings and torture perpetrated by members of the Imbonerakure youth group against persons perceived to be supportive of the opposition, including during an incident on 3 October 2015 in Cibitoke, including information on whether any investigations had led to the prosecution of Imbonerakure members and their outcome; and (e) the measures taken by the State party to implement the Committee's recommendations contained in its concluding observations of 2014 (CAT/C/BDI/CO/2) under the follow-up procedure.

36. Burundi submitted its special report on 30 June 2016, which the Committee considered at its fifty-eighth session. However, for the first time since the establishment of the Committee, the delegation did not attend the second half of the dialogue, arguing that the review was based on non-governmental organization reports that had not been shared, that it went beyond the issues covered in the special report, and that the Committee had not allowed the delegation sufficient time to reply. The Committee dismissed those accusations, while providing the State party with the opportunity to submit its written replies and stressing its wish to continue the dialogue. On 12 October 2016, Burundi submitted its follow-up replies (see sect. IV).

III. Consideration of reports submitted by States parties under article 19 of the Convention

37. At its fifty-eighth, fifty-ninth and sixtieth sessions, the Committee considered reports submitted by 17 States parties under article 19 (1) of the Convention and adopted 17 sets of concluding observations. Furthermore, at its fifty-ninth session, the Committee considered the country situation of Cabo Verde in the absence of a report and adopted concluding observations (see sect. II. D).

38. The reports considered by the Committee at its fifty-eighth session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

Party	*Country rapporteurs*	*Report*	*Concluding observations*
Burundi	Sébastien Touzé Essadia Belmir	Special report (CAT/C/BDI/2/Add.1)	CAT/C/BDI/CO/2/Add./1
Honduras	Claude Heller Jens Modvig	Second periodic report (CAT/C/HND/2)	CAT/C/HND/CO/2
Kuwait	Alessio Bruni Abdelwahab Hani	Third periodic report (CAT/C/KWT/3)	CAT/C/KWT/CO/3 and Corrs.1 and 2
Mongolia	Jens Modvig Ana Racu	Second periodic report (CAT/C/MNG/2)	CAT/C/MNG/CO/2

39. The reports considered by the Committee at its fifty-ninth session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

Party	*Country rapporteurs*	*Report*	*Concluding observations*
Armenia	Sébastien Touzé Ana Racu	Fourth periodic report (CAT/C/ARM/4)	CAT/C/ARM/CO/4
Ecuador	Claude Heller Jens Modvig	Seventh periodic report (CAT/C/ECU/7)	CAT/C/ECU/CO/7
Finland	Ana Racu Sapana Pradhan-Mallah	Seventh periodic report (CAT/C/FIN/7)	CAT/C/FIN/CO/7
Monaco	Sébastien Touzé Essadia Belmir	Sixth periodic report (CAT/C/MCO/6)	CAT/C/MCO/CO/6
Namibia	Abdelwahab Hani Sapana Pradhan-Mallah	Second periodic report (CAT/C/NAM/2)	CAT/C/NAM/CO/2
Sri Lanka	Alessio Bruni Felice Gaer	Fifth periodic report (CAT/C/LKA/5)	CAT/C/LKA/CO/5
Turkmenistan	Felice Gaer Kening Zhang	Second periodic report (CAT/C/TKM/2)	CAT/C/TKM/CO/2

40. The reports considered by the Committee at its sixtieth session and the concluding observations thereon are available from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below:

Party	*Country rapporteurs*	*Report*	*Concluding observations*
Afghanistan	Jens Modvig Abdelwahab Hani	Second periodic report (CAT/C/AFG/2)	CAT/C/AFG/CO/2
Argentina	Claude Heller Kening Zhang	Combined fifth and sixth periodic reports (CAT/C/ARG/5-6)	CAT/C/ARG/CO/5-6
Bahrain	Alessio Bruni Essadia Belmir	Second and third periodic reports (CAT/C/BHR/2 and 3)	CAT/C/BHR/CO/2-3
Lebanon	Sébastien Touzé Abdelwahab Hani	Initial report (CAT/C/LBN/1)	CAT/C/LBN/CO/1

Party	*Country rapporteurs*	*Report*	*Concluding observations*
Republic of Korea	Ana Racu Sapana Pradhan-Mallah	Combined third to fifth periodic reports (CAT/C/KOR/3-5)	CAT/C/KOR/CO/3-5
Pakistan	Felice Gaer Essadia Belmir	Initial report (CAT/C/PAK/1)	CAT/C/PAK/CO/1

41. In accordance with rule 68 of the rules of procedure of the Committee, representatives of each reporting State were invited to attend the meetings of the Committee when their report was examined. All of the States parties whose reports were considered sent representatives to participate in the examination of their respective reports. The Committee expressed its appreciation for that in its concluding observations.

42. Two country rapporteurs were designated by the Committee for each of the reports considered, as reflected in the tables above.

IV. Follow-up to concluding observations on States parties' reports

43. At its thirtieth session, in May 2003, the Committee developed a procedure to provide for follow-up subsequent to the adoption of the concluding observations on reports of States parties under article 19 of the Convention.[4] The Committee has presented information in each of its annual reports thereafter, outlining its experience in receiving information on follow-up measures taken by States parties, including substantive trends and further modifications it has made in the procedure. A more detailed description of the procedure can be found in the guidelines for follow-up to concluding observations, adopted by the Committee at its fifty-fifth session (CAT/C/55/3).

44. In accordance with its rules of procedure, at its fifty-seventh session in April/May 2016, the Committee appointed a new Rapporteur for follow-up to concluding observations, Mr. Hani. At the fifty-eighth, fifty-ninth and sixtieth sessions, the Rapporteur presented progress reports to the Committee on the procedure.

45. From May 2003 to the end of the sixtieth session, in May 2017, the Committee reviewed 208 reports from States parties for which it identified follow-up recommendations. Of the 184 follow-up reports that had been due by 12 May 2017, at the time of the adoption of the present report, 138 had been received by the Committee, for a 75 per cent overall response rate. The status of the follow-up is compiled in a chart maintained on the web page of the Committee.[5] Additional information, including submissions by States parties, communications sent by the Rapporteur for follow-up, State party responses and reports from national human rights institutions, non-governmental organizations and other civil society actors, are posted on that web page.

46. As at 12 May 2017, the following States had not yet supplied follow-up information that had fallen due:[6] Albania (forty-eighth session), Benin (thirty-ninth), Bolivia (Plurinational State of) (fiftieth), Burkina Faso (fifty-first), Cambodia (forty-fifth), Chad (forty-second), Congo (fifty-fourth), Costa Rica (fortieth), Cuba (forty-eighth), the Democratic Republic of the Congo (thirty-fifth), Djibouti (forty-seventh), El Salvador (forty-third), Ethiopia (forty-fifth), France (fifty-seventh), Gabon (forty-ninth), Ghana

[4] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 44* (A/58/44), para. 12.

[5] In 2010, the Committee established a separate web page for follow-up: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CAT&Lang=en. An overview of the follow-up procedure since 2003 can be found at the same web page.

[6] States parties that did not supply follow-up information prior to the submission of their next periodic report are not included in the list.

(forty-sixth), Guinea (fifty-second), Indonesia (fortieth), Iraq (fifty-fifth), Israel (fifty-seventh), Jordan (fifty-sixth), Kyrgyzstan (fifty-first), Luxembourg (fifty-fourth), Madagascar (forty-seventh), Mozambique (fifty-first), Nicaragua (forty-second), Philippines (fifty-seventh), Sierra Leone (fifty-second), South Africa (thirty-seventh), the Syrian Arab Republic (forty-eighth), Uganda (thirty-fourth), Venezuela (Bolivarian Republic of) (fifty-third), Yemen (forty-fourth), Zambia (fortieth), and the Holy See (fifty-second).

47. The Rapporteur sends reminders requesting the outstanding information to each State party for which follow-up information is due, but has not yet been submitted. During the period under review, the Rapporteur sent reminders to Colombia, the Congo, Iraq, Jordan and Luxembourg.[7]

48. From 14 May 2016 to 12 May 2017, follow-up reports were received from the following States parties,[8] in the order of receipt: Japan (CAT/C/JPN/CO/2/Add.2); Spain (CAT/C/ESP/CO/6/Add.1); Romania (CAT/C/ROU/CO/2/Add.1); New Zealand (CAT/C/NZL/CO/6/Add.1); Serbia (CAT/C/SRB/CO/2/Add.1); the former Yugoslav Republic of Macedonia (CAT/C/MKD/CO/3/Add.1); Republic of Korea (on Japan); Switzerland (CAT/C/CHE/CO/7/Add.1); Slovakia (CAT/C/SVK/CO/3/Add.1); Colombia (CAT/C/COL/CO/5/Add.1); Burundi (CAT/C/BDI/CO/2/Add.2); Turkey (CAT/C/TUR/CO/4/Add.1 and Add.2); Azerbaijan (CAT/C/AZE/CO/4/Add.1); Austria (CAT/C/AUS/6/Add.1); Denmark (CAT/C/DNK/6-7/Add.1); Liechtenstein (CAT/C/LIE/CO/4/Add.1); Kazakhstan (CAT/C/KAZ/CO/3/Add.2); China (CAT/C/CHN/CO/5/Add.1); Hong Kong, China (CAT/C/CHN-HNK/CO/5/Add.1) and Macao, China (CAT/C/CHN-MAC/CO/5/Add.1); Portugal (CAT/C/PRT/CO/5-6/Add.3); Croatia (CAT/C/HRV/CO/4-5/Add.3); Ukraine (CAT/C/UKR/CO/6/Add.2); Kuwait (CAT/C/KWT/CO/3/Add.1); Saudi Arabia (CAT/C/SAU/CO/2/Add.1); France (CAT/C/FRA/CO/7/Add.1); and Tunisia (CAT/C/TUN/CO/3/Add.1).[9]

49. The Rapporteur expresses appreciation for the information provided by those States parties regarding measures taken to implement their obligations under the Convention. He assesses the responses received as to whether all the issues identified by the Committee for follow-up have been addressed by the State party and whether the information provided responds to the Committee's concerns and recommendations. The Rapporteur communicates with States parties under the follow-up procedure once their report has been received and assessed. Such communications reflect the analysis carried out by the Rapporteur, specify the pending issues and indicate a time frame for the reply.

50. The Rapporteur also expresses appreciation for the information submitted by national human rights institutions, human rights non-governmental organizations and civil society groups under the follow-up procedure. As at 12 May 2017, the Committee had received follow-up reports from such sources on the following States parties, in the order of receipt: France, Ukraine, Colombia, Mozambique, Turkey, Macao, China and Hong Kong, China, Denmark, Venezuela (Bolivian Republic of), Azerbaijan and a further submission concerning France.[10]

51. At the fifty-eighth, fifty-ninth and sixtieth sessions, the Rapporteur for follow-up to concluding observations submitted progress reports to the Committee on the procedure, as had been done at previous sessions.

[7] Communications sent by the Rapporteur for follow-up to concluding observations are available from the web page for follow-up.

[8] Follow-up reports submitted by States parties are available from the web page for follow-up.

[9] Tunisia submitted its follow-up information on 13 May 2017.

[10] Those submissions are also available from the web page for follow-up.

V. Activities of the Committee under article 20 of the Convention

52. In accordance with article 20 (1) of the Convention, if the Committee receives reliable information that appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State party, the Committee shall invite that State party to cooperate in the examination of the information and, to that end, to submit observations with regard to the information concerned.

53. In accordance with rule 75 of the Committee's rules of procedure, the Secretary-General shall bring to the attention of the Committee information that is, or appears to be, submitted for the Committee's consideration under article 20 (1) of the Convention.

54. No information shall be received by the Committee if it concerns a State party that, in accordance with article 28 (1) of the Convention, declared at the time of ratification of or accession to the Convention that it did not recognize the competence of the Committee provided for in article 20, unless that State party has subsequently withdrawn its reservation in accordance with article 28 (2) of the Convention.

55. The Committee's work under article 20 of the Convention continued during the period under review. In accordance with the provisions of article 20 and rules 78 and 79 of the Committee's rules of procedure, all documents and proceedings of the Committee relating to its functions under article 20 are confidential and all the meetings concerning its proceedings under that article are closed. However, in accordance with article 20 (5) of the Convention, the Committee may, after consultations with the State party concerned, decide to include a summary account of the results of the proceedings in its annual report to the States parties and to the General Assembly.

56. In the framework of the Committee's follow-up activities, the rapporteurs on article 20 continued to carry out activities aimed at encouraging States parties on which enquiries had been conducted and the results of such enquiries had been published, to take measures to implement the Committee's recommendations. At its fifty-sixth session, the Committee adopted internal guidelines on practical modalities and criteria for deciding on follow-up visits to inquiry missions carried out under article 20 of the Convention.

57. Further information on the inquiry procedure is available on the Committee web page.

Summary account of the results of the proceedings of the inquiry on Egypt

58. Egypt acceded to the Convention on 25 June 1986 and it entered into force on 26 June 1987. As Egypt did not declare that it did not recognize the competence of the Committee provided for in article 20 of the Convention, as it could have done, the article 20 procedure is applicable to it.

59. In March and October 2012, the Committee received communications alleging the systematic use of torture in Egypt from Alkarama Foundation, a non-governmental organization. The reports contained individual allegations of torture and descriptions of several mass events. Alkarama recalled that in 1996, the Committee had published a summary of a previous article 20 inquiry on Egypt, in which it had determined that the security forces systematically practised torture. Alkarama also transmitted recent reports by several non-governmental organizations containing additional torture allegations.

60. At its forty-ninth session in November 2012, the Committee had determined that the information submitted was reliable and contained well-founded indications that torture was being systematically practised in the territory of Egypt. The Committee invited the State party to cooperate in the examination of the information and submit its observations. The State party responded on 11 February 2013, describing its legal and institutional mechanisms to prevent and punish torture. The Committee considered that, together with additional information from non-governmental organizations, in November 2013, and decided to initiate an inquiry pursuant to article 20 (2) of the Convention. The Committee informed the State party and requested the Government to agree to a visit of its designated rapporteurs, Mr. Domah and Ms. Gaer.

61. On 16 January 2014, the State party responded, questioning the admissibility of Alkarama's complaint. On 8 May 2014, the State party proposed to send representatives to meet with the Committee about the human rights situation in the country. In November 2014, the Committee informed the State party that in the absence of an affirmative response to its request to conduct a visit, and in accordance with its normal procedure, it would proceed with its confidential inquiry without a visit.

Information received from the State party

62. The State party provided two communications on the information received by the Committee. The first communication, transmitted on 4 October 2013, describes the State party's constitutional and legislative guarantees prohibiting torture. In the second communication, transmitted on 16 January 2014, the State party denies the admissibility and reliability of the information submitted by Alkarama. The State party asserts that torture is not a systematic practice in Egypt and that, while some incidents of torture may have occurred, they are isolated incidents, which are investigated by the authorities.

Information received from other sources

63. Between 2012 and 2015, the Committee received seven communications from Alkarama concerning the practice of torture in Egypt, containing at least 146 individual allegations of torture, most of which date from 2013 and 2014, as well as information concerning several mass claims. Alkarama's communications allege that, despite many significant political changes, torture remained pervasive in Egypt from 2012 to 2015.

64. In addition, the Committee considered information concerning torture in Egypt from United Nations officials and bodies including the Office of the High Commissioner for Human Rights, the Committee on the Rights of the Child, the Special Rapporteur on torture and the Working Group on Enforced or Involuntary Disappearances, and from the African Commission on Human and Peoples' Rights. Those sources support the claim that torture was practised systematically in Egypt throughout the period of the inquiry.

65. The Committee also reviewed publicly available reports by the non-governmental organizations El-Nadeem Centre for Rehabilitation of Victims of Violence, Amnesty International, Egyptian Initiative for Personal Rights, the Egyptian Organization for Human Rights, the International Federation for Human Rights, Human Rights Watch and the United Group – Attorneys at Law, Legal Advisors and Human Rights Advocates. The reports detailed 94 individual alleged cases of torture between 2011 and 2015 and some organizations reported receiving thousands of claims.

66. The sources report that torture is carried out by Egyptian military, police and prison officials for the purposes of punishing protesters and, since 2013, supporters and members of the Muslim Brotherhood, and to coerce confessions and pressure detainees to implicate others in crimes. The practice of torture has allegedly been facilitated by a significant increase in arrests by the authorities since July 2013, as well as by the practice of detaining protesters at unofficial places of detention. The sources also reported the practice of sexual violence by State agents and excessive use of force in response to protests since 2011, resulting in thousands of deaths. The sources alleged that impunity for torture was widespread and was facilitated by the absence of an independent investigating authority for complaints of torture, the excessive use of military courts, a lack of regular independent monitoring of places of detention, and the inadequate independence and competence of the National Council for Human Rights.

Conclusions and recommendations

67. The Committee considers, inter alia, that torture is practised systematically in a State party when it is apparent that the torture cases reported have not occurred fortuitously in a particular place or at a particular time, but are seen to be habitual, widespread and deliberate in at least a considerable part of the territory of the country in question (see A/48/44/Add.1, para. 39, and A/56/44, para. 163).

68. The information provided by non-governmental organizations and the findings of United Nations sources, including the Special Rapporteur on torture, reflected trends

regarding the perpetrators, methods and location of torture in Egypt, as well as the trend of impunity for perpetrators.

69. Torture appears to occur particularly frequently following arbitrary arrests and is often carried out to obtain a confession or to punish and threaten political dissenters. Torture occurs in police stations, prisons, State security facilities, and Central Security Forces facilities. Torture is perpetrated by police officers, military officers, National Security officers and prison guards. However, prosecutors, judges and prison officials also facilitate torture by failing to curb practices of torture, arbitrary detention and ill-treatment or to act on complaints. Many documented incidents occurred in greater Cairo, but cases have also been reported throughout the country. Perpetrators of torture almost universally enjoy impunity, although Egyptian law prohibits and creates accountability mechanisms for torture and related practices, demonstrating a serious dissonance between law and practice. In the view of the Committee, all the above lead to the inescapable conclusion that torture is a systematic practice in Egypt.

70. The Committee made urgent recommendations to the State party, including to immediately end the practice of torture and ill-treatment in all places of detention; to ensure that officials at the highest level publicly condemn torture and ill-treatment by State agents and adopt a zero-tolerance policy; and to prosecute perpetrators of torture, including those with command or superior responsibility.

Comments and observations of Egypt concerning the inquiry report

71. On 1 June 2016, the Government of Egypt provided a reply to the Committee's findings stating that the Committee should not have concluded that the State party was engaging in systematic torture on the basis of its failure to respond to specific allegations made by Alkarama, which it said were based on hearsay and lacked supporting evidence. The State party accepted many of the Committee's recommendations and asserted that they were already being implemented and that several others had been partly accepted or noted. It rejected the Committee's recommendations to immediately end the use of incommunicado detention; create an independent authority to investigate allegations of torture, enforced disappearance and ill-treatment; restrict the jurisdiction of the military courts to offences of an exclusively military nature; and enforce the prohibition against "virginity tests" and end the practice of forensic anal examinations for those accused of crimes.

VI. Consideration of complaints under article 22 of the Convention

A. Introduction

72. Under article 22 of the Convention, individuals who claim to be victims of a violation by a State party of the provisions of the Convention may submit a complaint to the Committee against Torture for consideration, subject to the conditions laid down in that article. Sixty-seven States parties to the Convention have declared that they recognize the competence of the Committee to receive and consider complaints under article 22 of the Convention. No complaint may be considered by the Committee if it concerns a State party to the Convention that has not recognized the Committee's competence under article 22.

73. In accordance with rule 104, paragraph 1, of its rules of procedure, the Committee established the post of Rapporteur on new complaints and interim measures, which is currently held by Mr. Zhang.

74. Complaints under article 22 of the Convention are considered in closed meetings. All documents relating to the work of the Committee under article 22, that is, submissions from the parties and other working documents of the Committee, are confidential.

75. The Committee decides on a complaint in the light of all the information made available to it by the parties. The findings of the Committee are communicated to the

parties and are made available to the public. The text of the Committee's decisions declaring complaints inadmissible or discontinuing the examination of a case are also made public, without disclosing the identity of the complainant, but identifying the State party concerned.

B. Interim measures of protection

76. Complainants frequently request preventive protection, particularly in cases concerning imminent expulsion or extradition, where they allege a violation of article 3 of the Convention. Pursuant to rule 114, paragraph 1, of its rules of procedure, at any time after the receipt of a complaint, the Committee, through its Rapporteur on new complaints and interim measures, may transmit to the State party concerned a request that it take such interim measures as the Committee considers necessary to avoid irreparable damage to the victim(s) of the alleged violation(s). The State party shall be informed that such a request does not imply a determination of the admissibility or the merits of the complaint. During the reporting period, requests for interim measures of protection were received in 70 complaints, of which 45 were granted by the Rapporteur on new complaints and interim measures, who regularly monitors the compliance of States parties with such requests.

C. Progress of work

77. At the time of adoption of the present report, the Committee had registered, since 1989, 825 complaints concerning 38 States parties.[11] Of those, 234 complaints had been discontinued and 86 had been declared inadmissible. The Committee had adopted final decisions on the merits on 329 complaints and found violations of the Convention in 131 of them. Some 175 complaints were pending consideration. All the Committee's decisions on the merits and those declaring a complaint inadmissible can be found in the treaty body case law database (http://juris.ohchr.org/), on the OHCHR website (www2.ohchr.org) and the Official Document System of the United Nations (http://documents.un.org).

78. At its fifty-eighth session, the Committee adopted decisions on the merits in respect of seven communications. In communication No. 682/2015, *Alhaj Ali v. Morocco*, the Committee found that the extradition of the complainant's husband to Saudi Arabia constituted a violation by the State party of article 3 of the Convention. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 595/2014, *D.M. v. Australia*, No. 599/2014, *T. v. Australia*, No. 600/2014, *K.V. v. Australia*, No. 608/2014, *M.N. v. Australia*, No. 609/2014, *R.K. v. Australia* and No. 616/2014, *J.I. v. Sweden*.

79. The Committee also found two communications, namely, No. 607/2014, *R.K. v. Denmark* and No. 627/2014, *H. v. Sweden* inadmissible, two communications, namely No. 650/2015, *O.D. v. Morocco* and No. 710/2015, *A.M.A. v. Switzerland* admissible, and discontinued the consideration of communications No. 645/2014, *G.T. v. Australia* and No. 559/2013, *P.R. v. Switzerland*.

80. At its fifty-ninth session, on 2 December 2016, the Committee held, for the first time since its creation, a meeting with judges from the European Court of Human Rights, supported by the René Cassin Foundation. The meeting covered issues of common interest relating to the individual complaints procedure and jurisprudence. During the same session, the Committee adopted decisions on the merits in respect of 11 communications. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 581/2014, *S.S. v. Canada*, No. 582/2014, *N.S. v. Canada*, No. 633/2014, *Y.S. v. Australia*, No. 644/2014, *R.O. et al. v. Sweden*, No. 649/2015, *K.N. v.*

[11] The complaints examined by the Committee in relation to the Federal Republic of Yugoslavia, as well as to Serbia and Montenegro, are attributed to Serbia for statistical purposes.

Australia, No. 652/2015, *E.S. v. Australia*, No. 658/2015, *M.F. v. Switzerland* and No. 666/2015, *L.P. v. Australia*. In communication No. 549/2013, *Kabura v. Burundi*, the Committee found that the State party had committed violations of the complainant's rights under article 2 (1), in conjunction with article 1, and articles 12 to 16, in conjunction with article 11 of the Convention. In communication No. 606/2014, *Asfari v. Morocco*, the Committee found that the State party had committed violations of the complainant's rights under articles 1 and 12 to 16. In communication No. 634/2014, *M.B. et al. v. Denmark*, the Committee found that the forcible return of the complainants to the Russian Federation would constitute a violation by the State party of article 3 of the Convention.

81. The Committee also found communication No. 691/2015, *S.S. v. Sweden*, admissible, three communications, namely, No. 610/2014, *R.M. v. Sweden*, No. 686/2015, *X v. Switzerland* and No. 697/2015, *X et al. v. Switzerland*, inadmissible and discontinued the consideration of communications No. 459/2011, *M.H. and R.H. v. Switzerland*, No. 506/2012, *H.A.A. v. Switzerland*, No. 588/2014, *A.L. v. Canada*, No. 603/2014, *K.S. v. Australia*, No. 626/2014, *S.R. v. Australia*, No. 630/2014, *S.M. v. Canada*, No. 664/2015, *Y.M. v. Switzerland*, No. 668/2015, *M.M. v. Sweden*, No. 670/2015, *U.P.A. v. Sweden* and No. 762/2016, *A.A. v. Switzerland*.

82. At its sixtieth session, the Committee adopted decisions on the merits in respect of 17 communications. In communication No. 573/2013, *C.D. and E.D. v. Georgia*, the Committee found that the State party had committed violations of articles 12 and 13, in conjunction with article 1 of the Convention, with regard to both complainants, and of article 16 (1) of the Convention, with regard to the second complainant. In communication No. 579/2013, *G.N. and C.N. v. Burundi*, the Committee found that the State party had committed violations of article 1, and of articles 12 to 14, read alone and in conjunction with article 1 of the Convention. In communication No. 612/2014, *Ntunzwenayo v. Burundi*, the Committee found that the State party had committed violations of article 2 (1), read in conjunction with article 1, and of articles 11 to 15 of the Convention. In communication No. 651/2015, *Ushenin v. Kazakhstan*, the Committee found that the State party had committed violations of article 1, in conjunction with article 2 (1), and of articles 12 to 14 of the Convention. The Committee found that the forcible return of the complainants would constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 639/2014, *Abdallah v. Switzerland*, No. 653/2015, *A.M.D. et al. v. Denmark*, No. 681/2015, *Masumi v. Australia* and No. 701/2015, *M.H.K. v. Australia*. The Committee found that the forcible return of the complainants would not constitute a violation by the States parties of article 3 of the Convention in its decisions on communications No. 465/2011, *A.P. v. Finland*, No. 515/2012, *J.T. v. Canada*, No. 602/2014, *S.S.B. v. Denmark*, No. 623/2014, *N.K. v. Netherlands*, No. 648/2015, *S.S. v. Australia*, No. 662/2015, *M.K. v. Switzerland*, No. 699/2015, *J.M. v. Canada*, No. 708/2015, *P.V. v. Australia* and No. 716/2016, *S.T. v. Australia*.

83. The Committee also found communication No. 677/2015, *A.N.M. v. Sweden*, inadmissible and discontinued the consideration of communications No. 446/2011, *K.L.W. v. Australia*, No. 576/2013, *S.T. v. Canada*, No. 601/2014, *H.S.M. v. Canada*, No. 640/2014, *R.K. v. Canada*, No. 655/2015, *A.S.A.O. v. Switzerland* and No. 764/2016, *S.N. and S.P. v. Switzerland*.

D. Follow-up activities

84. At its twenty-eighth session, in May 2002, the Committee established the function of Rapporteur for follow-up to decisions on complaints submitted under article 22, which is currently held by Ms. Pradhan-Malla. At its 527th meeting, on 16 May 2002, the Committee decided that the Rapporteur should engage, inter alia, in the following activities: monitoring compliance with the Committee's decisions by sending notes verbales to States parties enquiring about measures adopted pursuant to the Committee's decisions; recommending to the Committee appropriate action upon the receipt of responses from States parties, in situations of non-response, and upon the receipt henceforth of all letters from complainants concerning non-implementation of the Committee's decisions; meeting with representatives of the permanent missions of States parties to encourage compliance

and to determine whether advisory services or technical assistance by OHCHR would be appropriate or desirable; conducting with the approval of the Committee follow-up visits to States parties; and preparing periodic reports for the Committee on his or her activities.

85. During its fifty-ninth session, the Committee reviewed submissions related to six cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue with a note of satisfactory resolution with regard to one communication, No. 336/2008, *Khalsa-Singh et al. v. Switzerland*. In that case, the complainant had been granted a residence permit by the State party. The Committee reviewed the information received with regard to five other cases and decided to keep the follow-up dialogue open.

86. During its sixtieth session, the Committee reviewed submissions related to 14 cases that are currently monitored through the Committee's follow-up procedure. The Committee decided to close the follow-up dialogue with a note of satisfactory resolution with regard to communications No. 15/1994, *Khan v. Canada*, No. 523/2012, *X v. Finland* and No. 628/2014, *J.N. v. Denmark*. The Committee reviewed the information received with regard to 11 other cases and decided to keep the follow-up dialogue open.

87. At the time of the adoption of the present report, the Committee had closed the follow-up dialogue with a note of satisfactory or partially satisfactory resolution with regard to 55 communications, out of a total of 131 communications where it had found violations of different provisions of the Convention. Additional information may be found in documents CAT/C/59/3 and CAT/C/60/4.

VII. Meetings of the Committee in 2017

88. Further to General Assembly resolution 68/268, the Committee will hold three regular sessions in 2017: the sixtieth session (18 April-12 May 2017), the sixty-first session (24 July-11 August 2017) and the sixty-second session (6 November-6 December 2017).

VIII. Adoption of the annual report of the Committee on its activities

89. In accordance with article 24 of the Convention, the Committee shall submit an annual report on its activities to the States parties and to the General Assembly. Since the Committee holds its third regular session of each calendar year in November, which coincides with the regular sessions of the General Assembly, it adopts its annual report at the end of its spring session, for transmission to the General Assembly during the same calendar year. Accordingly, at its 1541st meeting, held on 12 May 2017 (see CAT/C/SR.1541), the Committee considered and adopted the report on its activities at the fifty-eighth, fifty-ninth and sixtieth sessions.

Annex

Membership, officers and mandates as at 12 May 2017

Name of member	*Country of nationality*	*Term expires on 31 December*
Essadia Belmir (Vice-Chair)	Morocco	2017
Alessio Bruni (Rapporteur on reprisals)	Italy	2017
Felice Gaer (Vice-Chair)	United States of America	2019
Abdelwahab Hani (Rapporteur on follow-up to art. 19)	Tunisia	2019
Claude Heller Rouassant (Vice-Chair)	Mexico	2019
Jens Modvig (Chair)	Denmark	2017
Sapana Pradhan-Malla (Rapporteur on follow-up on decisions adopted under art. 22)	Nepal	2017
Ana Racu	Republic of Moldova	2019
Sébastien Touzé (Rapporteur)	France	2019
Kening Zhang (Rapporteur on new complaints and interim measures)	China	2017

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